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ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 4/28/2022

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
UNITED STATES OF AMERICA

- v. -

AMARA CHERIF,
a/k/a "Bamba Issiaka,"

Defendant.

: CONSENT PRELIMINARY ORDER
OF FORFEITURE AS TO
SPECIFIC PROPERTY
: S1 19 Cr. 338 (GHW)

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WHEREAS, on or about June 22, 2021, AMARA CHERIF (the "Defendant"), among others, was charged in four counts of a five-count superseding indictment, S1 19 Cr. 338 (GHW) (the "Indictment"), with conspiracy to commit wildlife trafficking, in violation of Title 18, United States Code, Sections 371 and 3238 (Count One); wildlife trafficking in violation of Lacey Act, in violation of Title 16, United States Code, Sections 3372(a)(2)(A) and 3373(d)(1)(B), and Title 18, United States Code, Sections 3238 and 2 (Counts Two and Three); and money laundering conspiracy, in violation of Title 18, United States Code, Sections 1956(h) and 3238 (Count Four);

WHEREAS, the Indictment included a forfeiture allegation as to Count One of the Indictment, seeking forfeiture to the United States, (i) pursuant to Title 16, United States Code, Section 3374(a) and Title 28, United States Code, Section 2461, of all wildlife imported, exported, transported, sold, received, acquired, and purchased that was involved in a violation of Title 16, United States Code, Section 3372, and all vessels, vehicles, aircraft, and other equipment used to aid in the importing, exporting, transporting, selling, receiving, acquiring, and purchasing of wildlife that was involved in such violation; and (ii) pursuant to Title 16, United States Code, Section 1540(e)(4) and Title 28, United States Code, Section 2461, all wildlife taken, possessed, sold, purchased, offered for sale and purchase, transported, delivered, received, carried, shipped, exported, and imported that was involved in a violation of Title 16, United States Code, Section 1538, and all

guns, traps, nets, and other equipment, vessels, vehicles, aircraft, and other means of transportation used to aid the taking, possessing, selling, purchasing, offering for sale or purchase, transporting, delivering, receiving, carrying, shipping, exporting, and importing of any wildlife that was involved in such violation;

WHEREAS, the Indictment included a second forfeiture allegation as to Counts Two and Three of the Indictment, seeking forfeiture to the United States, pursuant to Title 16, United States Code, Section 3374(a) and Title 28, United States Code, Section 2461, of all wildlife imported, exported, transported, sold, received, acquired, and purchased that was involved in the offenses charged in Counts Two and Three of the Indictment, and all vessels, vehicles, aircraft, and other equipment used to aid in the importing, exporting, transporting, selling, receiving, acquiring, and purchasing of wildlife that was involved in the offenses charged in Counts Two and Three of the Indictment;

WHEREAS, on or about April 27, 2022, the Defendant pled guilty to Counts One through Three of the Indictment, pursuant to a plea agreement with the Government, wherein the Defendant admitted the forfeiture allegations with respect to Counts One through Three of the Indictment and agreed to forfeit to the United States, pursuant to Title 16, United States Code, Sections 1540(e)(4) and 3374(a), and Title 28, United States Code, Section 2461, all wildlife imported, exported, transported, sold, received, acquired, and purchased that was involved in a violation of Title 16, United States Code, Section 3372, and all wildlife taken, possessed, sold, purchased, offered for sale and purchase, transported, delivered, received, carried, shipped, exported, and imported that was involved in a violation of Title 16, United States Code, Section 1538, including all right, title, and interest of the Defendant in the following specific property seized by the U.S. Fish & Wildlife Service (“USFWS”) in connection with the offenses charged in Counts One through Three:

- a. One black rhinoceros horn received by the USFWS on or about March 16, 2018, which is currently in the custody of the USFWS;
- b. Two white rhinoceros horns received by the USFWS on or about July 17, 2018, which are currently in the custody of the USFWS; and
- c. All right, title, and interest of the defendant in the specific property listed in Appendix A attached hereto.

(a., b., and c., collectively, the “Specific Property”);

WHEREAS, the Defendant consents to the forfeiture of all his right, title and interest in the Specific Property, which constitute wildlife trafficked in violation of the offenses charged in Counts One through Three of the Indictment and/or and equipment used to aid in the importing, exporting, transporting, selling, receiving, acquiring, and purchasing of wildlife; and

WHEREAS, pursuant to Title 21, United States Code, Section 853(g), and Rules 32.2(b)(3), and 32.2(b)(6) of the Federal Rules of Criminal Procedure, the Government is now entitled, pending any assertion of third-party claims, to reduce the Specific Property to its possession and to notify any and all persons who reasonably appear to be a potential claimant of their interest herein;

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Damian Williams, United States Attorney, Assistant United States Attorneys, Sagar K. Ravi and Jarrod L. Schaeffer, of counsel, and the Defendant, and his counsel, Jacqueline E. Cistaro, Esq., that:

1. As a result of the offenses charged in Counts One through Three of the Indictment, to which the Defendant pled guilty, all of the Defendant’s right, title and interest in the Specific Property is hereby forfeited to the United States for disposition in accordance with the law, subject to the provisions of Title 21, United States Code, Section 853.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Preliminary Order of Forfeiture as to Specific Property is final as to the Defendant AMARA

CHERIF, and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

3. Upon entry of this Consent Preliminary Order of Forfeiture as to Specific Property, the United States Marshals Service is hereby authorized to take possession of the Specific Property and to hold such property in its secure custody and control.

4. Pursuant to Title 21, United States Code, Section 853(n)(1), Rule 32.2(b)(6) of the Federal Rules of Criminal Procedure, and Rules G(4)(a)(iv)(C) and G(5)(a)(ii) of the Supplemental Rules for Certain Admiralty and Maritime Claims and Asset Forfeiture Actions, the United States is permitted to publish forfeiture notices on the government internet site, www.forfeiture.gov. This site incorporates the forfeiture notices that have been traditionally published in newspapers. The United States forthwith shall publish the internet ad for at least thirty (30) consecutive days. Any person, other than the Defendant, claiming interest in the Specific Property must file a Petition within sixty (60) days from the first day of publication of the Notice on this official government internet web site, or no later than thirty-five (35) days from the mailing of actual notice, whichever is earlier.

5. The published notice of forfeiture shall state that the petition (i) shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the Specific Property, (ii) shall be signed by the petitioner under penalty of perjury, and (iii) shall set forth the nature and extent of the petitioner's right, title or interest in the Specific Property, the time and circumstances of the petitioner's acquisition of the right, title and interest in the Specific Property, any additional facts supporting the petitioner's claim, and the relief sought, pursuant to Title 21, United States Code, Section 853(n).

6. Pursuant to 32.2 (b)(6)(A) of the Federal Rules of Criminal Procedure, the Government shall send notice to any person who reasonably appears to be a potential claimant with standing to contest the forfeiture in the ancillary proceeding.

7. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture with respect to the Specific Property pursuant to Title 21, United States Code, Section 853(n), in which all interests will be addressed.

8. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

9. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture as to Specific Property, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

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10. The signature page of this Consent Preliminary Order of Forfeiture as to Specific Property may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

By:



4/27/22

DATE

SAGAR K. RAVI
JARROD L. SCHAEFFER
Assistant United States Attorneys
One St. Andrew's Plaza
New York, NY 10007
(212) 637-2195 / -2270

AMARA CHERIF

By:


AMARA CHERIF

04/27/2022

DATE

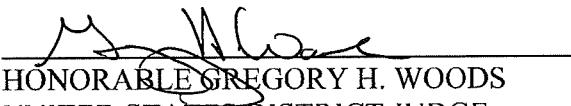
By:


JACQUELINE E. CISTARO, ESQ.
Attorney for Defendant
11 Broadway, Suite 615
New York, NY 10004

04/27/2022

DATE

SO ORDERED:


HONORABLE GREGORY H. WOODS
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF NEW YORK

Apr-127, 2022

DATE

APPENDIX A
Specific Property

<u>Property Number</u>	<u>Item Tag Number</u>	<u>Description</u>
2016903213P102	894630 - 05	One (1) concealment sculpture from the large horn
2016903213P103	894630 - 06	One (1) concealment sculpture from the small horn
2016903213P105	894630 - 08	One (1) African wooden carved animal figurine
2016903213P106	894630 - 09	One (1) African wooden carved animal figurine
2016903213P107	894630 - 10	One (1) African wooden carved animal figurine
2016903213P108	894630 - 11	One (1) African wooden carved animal figurine
2016903213P109	894630 - 12	One (1) African wooden carved animal figurine
2016903213P110	894630 - 14	One (1) African wooden carved human figurine
2016903213P111	894630 - 15	One (1) African wooden carved human figurine
2016903213P112	894630 - 16	One (1) wooden carved shield One (1) wooded carved spear
2016903213P114	894630 - 18	Three (3) pair of wooden serving utensils
2016903213P115	894630 - 19	One (1) wooden carved African face mask
2016903213P116	894630 - 20	One (1) wooden carved African face mask
2016903213P117	894630 - 21	Three (3) leather framed paintings
2016903213P118	894630 - 22	One (1) African leather shield
2016903213P119	894630 - 23	One (1) African wooden carved human figurine
2016903213P120	894630 - 24	One (1) African wooden carved human figurine
2016903213P121	894630 - 25	Nine (9) fabric purses
2016903213P122	894630 - 26	One (1) wooden string instrument
2016903213P066	731268 - 3	One (1) purple fabric and leather hand bag
2016903213P067	731268 - 4	One (1) orange purse
2016903213P068	731268 - 5	One (1) red and black fabric handbag
2016903213P069	731268 - 6	One (1) red fabric purse
2016903213P070	731268 - 7	One (1) blue fabric purse
2016903213P071	731268 - 8	One (1) leather framed drawing
2016903213P072	731268 - 9	One (1) gourd string instrument
2016903213P073	731268 - 10	One (1) African wooden carved figurine
2016903213P074	731268 - 11	One (1) African wooden carved figurine

2016903213P075	731268 - 12	One (1) wooden toy drum
2016903213P076	731268 - 13	One (1) wooden toy drum
2016903213P077	731268 - 14	One (1) alleged cattle horn carved bowl with zebra striped paint
2016903213P078	731268 - 15	One (1) plaster or clay African bust sculpture with yellow/orange/white beads
2016903213P079	731268 - 16	One (1) plaster or clay African bust sculpture with white/blue/red beads
2016903213P080	731268 - 17	One (1) wooden carved letter opener (giraffe)
2016903213P081	731268 - 18	One (1) wooden carved letter opener (hippopotamus)
2016903213P082	731268 - 19	One (1) cattle horn carved spoon with zebra striped paint
2016903213P083	731268 - 20	One (1) wooden carved African face mask
2016903213P084	731268 - 21	One (1) black/red plaster or clay African bust sculpture
2016903213P085	731268 - 22	One (1) wooden carved African face mask
2016903213P086	731268 - 23	One (1) pair of wooden serving utensils
2016903213P087	731268 - 24	One (1) wooden carved letter opener (antelope)
2016903213P088	731268 - 25	One (1) wooden carved letter opener (giraffe)
2016903213P089	731268 - 26	One (1) wooden carved African face mask
2016903213P090	731268 - 27	One (1) blue/red/black wooden carved figurine
2016903213P091	731268 - 28	One (1) blue/red/black wooden carved figurine
2016903213P092	731268 - 29	One (1) green/yellow/black wooden carved figurine
2016903213P093	731268 - 30	One (1) green/yellow/black wooden carved figurine
2016903213P094	731268 - 31	One (1) wooden carved spatula
2016903213P095	731268 - 32	One (1) wooden carved spoon
2016903213P097	731268 - 33	One (1) handcrafted mask
2016903213P203	894638 - 1	One (1) Tenco cellular telephone with assigned number +224 622 255 819, containing two SIM cards and one Micro SD HC card